

\$~45

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4121/2019**

SHRI VIPIN KUMAR GUPTA & ANR. Petitioners

Through **Mr.Manish Kumar, Adv.**

versus

STATE & ANR. Respondents

Through **Mr.M.S. Oberoi, APP for State.**
SI Badlu Ram PS Janak Puri.
Mr.Arjun Mitra, Adv. with Ms.Ritika
Mitra, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

%

23.08.2019

Crl. M.A. 34022/2019

Allowed, subject to all just exceptions.

Application is disposed of.

Crl.M.C. 4121/2019

Vide the present petition, the petitioners seek quashing of FIR No.519/2013 dated 12.12.2013 registered at police station Janakpuri instituted for the offences under Sections 323/354/506/509/34 of the IPC and consequent proceedings arising therefrom pending before Hon'ble Court of Ms Manisha Tripathi, Ld. M.M. Mahila Court (West) Dwarka Courts, New Delhi as Crl. Case No. 10152 / 2019 titled as "*State V. Vipin Kumar Gupta & Anr.*"

Issue notice.

Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

It is stated in the present petition that the complainant and the petitioner have already entered into a family settlement/compromise and have settled the disputes amongst themselves amicably whereby the petitioners have agreed to pay a sum of ₹60 lacs to respondent no.2 towards full and final settlement of all her claims in respect of the said property. The petitioners have already paid a sum of ₹1 lac to respondent no.2 on 29.07.2019. The petitioners have agreed to pay a sum of ₹15 lacs to respondent no.2 at the time of quashing of the FIR and the balance amount of ₹44 lacs shall be paid to respondent no.2 before the Court of Shri Robinjeet Singh, Ld. Civil Judge (West), Tis Hazari Courts, Delhi after 31.10.2019 when the Respondent No.2 would hand over the keys of her portion of the said property to the Petitioners.

The complainant is present in person with her counsel and states that matter has been settled and she does not wish to prosecute the matter any further. She has been identified by the counsel for the complainant and she has produced Aadhar Card issued by Government of India bearing no.791019247073 (original seen and returned to the complainant).

The complainant has received a pay order of ₹15 lacs vide bearing no.500733 dated 30.07.2019 issued by Kotak Mahindra Bank, Janakpuri Branch, Delhi in favour of the complainant.

Taking into account the aforesaid facts, this Court is inclined to quash the subject FIR as no useful purpose would be served in prosecuting the petitioners any further.

For the reasons afore-recorded, the FIR No.519/2013 dated 12.12.2013 registered at police station Janakpuri instituted for the offences under Sections 323/354/506/509/34 of the IPC and consequent proceedings are quashed.

The petition is disposed of in terms of the above.

Order *dasti* under the signatures of the Court Master.

SURESH KUMAR KAIT, J

AUGUST 23, 2019
ab